

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:04-cr-00058-MOC-DSC
[and 3:04cr59]

THIS MATTER is before the court on defendant's Motions to Terminate and or Modify Probation. Review of the pleadings reveals that defendant is not on probation, but is on what is known as "Conditional Release" from hospitalization.

In substance, defendant seeks to modify or eliminate all of the safeguards that have been provided in this court's Amended Conditional Release Order (#107 in 3:04cr59) despite only three weeks having passed. These motions show absolutely no support for the proposed relief and the court finds that the defendant's proposed modifications would not only pose a danger to his continued health and the safety of others, they would seriously put in jeopardy his ability to remain out on conditional release. This court need not look too far in the past to recall the implications of defendant being off his medications and unsupervised.

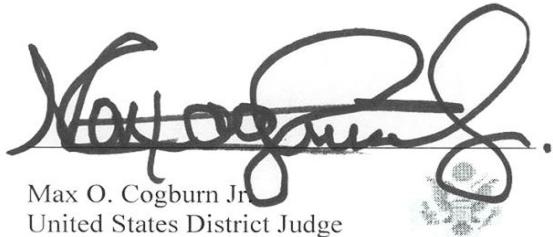
The undersigned reaffirms Judge Cayer's Amended Conditional Release Order and adopts it in full as its own. Defendant is cautioned that failure to abide by each and every condition in such Order or exhibiting any conduct which calls into question his ability to remain on release will

result in a return to hospitalization. Having considered defendant's motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Terminate and or Modify Probation (#133 in 3:04cr58 and #109 in 3:04cr59) are DENIED.

Signed: April 22, 2016

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.". The signature is fluid and cursive, with a small dot at the end.

Max O. Cogburn Jr.
United States District Judge